

By: Ellis

S.B. No. 142

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain restrictions on a person who serves as
3 secretary of state.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter A, Chapter 405, Government Code, is
6 amended by adding Section 405.002 to read as follows:

7 Sec. 405.002. POLITICAL ACTIVITY PROHIBITED. (a) The
8 secretary of state may not engage in an activity that would aid or
9 defeat a candidate or measure.

10 (b) This section does not prevent the secretary of state
11 from:

12 (1) carrying out the duties of the office of secretary
13 of state;

14 (2) voting; or

15 (3) making a monetary campaign contribution.

16 (c) In this section, "candidate," "measure," and "campaign
17 contribution" have the meanings assigned by Section 251.001,
18 Election Code.

19 SECTION 2. Section 121.002, Election Code, is amended to
20 read as follows:

21 Sec. 121.002. PECUNIARY INTEREST OF SECRETARY OF STATE.

22 (a) The secretary of state may not have a pecuniary interest in the
23 manufacturing or marketing of voting system equipment or software
24 necessary for the operation of a voting system.

1 (b) The secretary of state may not solicit or accept
2 employment from a person who manufactures or markets voting system
3 equipment or software necessary for the operation of a voting
4 system before the second anniversary of the date on which the
5 secretary of state's service ends.

6 SECTION 3. The change in law made by Section 2 of this Act
7 applies only to a secretary of state appointed on or after September
8 1, 2009.

9 SECTION 4. This Act takes effect September 1, 2009.